

WILLIAM J. ARMSTRONG, et al	*	NO. 26693 EQUITY
Plaintiffs	*	IN THE CIRCUIT COURT FOR
VS.	*	FREDERICK COUNTY,
MAYOR AND TOWN COUNCIL OF	*	STATE OF MARYLAND
NEW MARKET, MARYLAND, et al	*	
AND	*	
G. ROSS BRINKLEY, et al	*	
Defendants	*	

* * * * *

ANSWER TO SHOW CAUSE ORDER

Your Respondents, the Mayor and Town Council of the Town of New Market, Maryland, by Mary E. Storm and Storm & Storm, their Attorneys, in answer to the Show Cause Order issued herein, respectfully represent unto your Honorable Court as follows:

FIRST: That the Declaratory Decree attached to the aforesaid Show Cause Order should not be signed in the instant case because the description of the "encroachments" in the bed of Federal Street and in the bed of North Alley are not correctly described in the metes and bounds description contained in said Decree for the following reasons:

1. Your Honorable Court found that the Plaintiffs herein owned the actual encroachment by the building into the beds of the aforesaid street and alley plus the small area which had been used as a flower bed by the school. The plat exhibit in the case plainly shows that the building does not encroach in the manner or to the extent described in the said metes and bounds description, (viz. neither parallel with lot 85 nor 25 feet). No testimony or other exhibit, brief or paper before your Honorable Court avers that the plat exhibit above referred to is erroneous regarding the way in which the building encroaches on the street and alley. There was no testimony placing the flower bed south of the building, along the entire front of the building, or further front of the building than the stairs to the front door. The only testimony regarding the flower bed placed it beside the stairs.

2. The un rebutted plat exhibit does not show the fence line or the

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